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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,415	12/08/2003	Bruce A. Willins	SBL01618	2465

22917 7590 05/06/2009

MOTOROLA, INC.
1303 EAST ALGONQUIN ROAD
IL01/3RD
SCHAUMBURG, IL 60196

EXAMINER	
YUN, EUGENE	
ART UNIT	PAPER NUMBER
2618	

NOTIFICATION DATE	DELIVERY MODE
05/06/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

Office Action Summary	Application No.	Applicant(s)	
	10/730,415	WILLINS ET AL.	
	Examiner	Art Unit	
	EUGENE YUN	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 January 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-21 rejected under 35 U.S.C. 103(a) as being unpatentable over Gallagher (US 7,127,250) in view of Heinonen et al. (US 7,123,878).

Referring to Claim 1, Gallagher teaches a method, comprising:

Receiving, using a wireless controller 132 (fig. 2), data transmitted from one or more wireless transmitters 128 (fig. 2) adapted to communicate with a plurality of mobile terminals 102 (fig. 2).

Receiving descriptive information associated with at least a portion of the received data from the one or more wireless transmitters (see col. 19, lines 9-16); and

Providing the received data and the associated descriptive information to a port interface associated with the wireless controller (see col. 7, lines 31-40).

Gallagher does not teach the descriptive information describing a signal between at least two of the a) wireless controller, b) the one or more wireless transmitters, and c) the plurality of mobile terminals. Heinonen teaches the descriptive information describing a signal (see col. 17, lines 44-52) between at least two of the a) wireless controller, b) the one or more wireless transmitters, and c) the plurality of mobile terminals (see fig. 5 where the originating and target devices are both wireless

devices). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Heinonen to said device of Gallagher in order to better avoid repeated communication inquiries.

Referring to Claim 2, Gallagher also teaches encapsulating descriptive information with the data in a packet and providing the encapsulated packet to the port interface (see col. 7, lines 43-47).

Referring to Claim 3, Gallagher also teaches providing the data and the associated descriptive information to the port interface for at least one of storage in a remote device and further processing (see col. 5, lines 53-57).

Referring to Claim 4, Gallagher also teaches receiving the descriptive information encapsulated with the data in a packet, wherein the descriptive information comprises at least one high resolution timestamp associated with the data and channel information associated with the transmission of the data, wherein the channel information includes at least one of signal quality and relative signal strength index (see col. 16, lines 7-11).

Referring to Claim 5, Gallagher also teaches receiving a request from a remote unit through the port and further causing the wireless controller to perform at least one task responsive to the received request (see col. 12, lines 19-22).

Referring to Claim 6, Gallagher also teaches a plurality of access ports 128 (fig. 2), and wherein the wireless controller communicates with a first access port of the plurality of access ports over a first communication channel, and wherein, in response to receiving the request, the wireless controller communicates with the first access

port over a channel different from the first channel (see col. 12, lines 18-25).

Referring to Claim 7, Gallagher teaches a wireless switch, comprising:

An interface 190 (fig. 1A); and

A controller 132 (fig. 2) communicatively coupled to the interface, the controller adapted to:

Receive data transmitted from a plurality of access ports 128 (fig. 2), wherein the data has associated descriptive information (see col. 19, lines 9-16); and

Provide at least a portion of the receive data and the associated descriptive information to a port interface associated with the wireless switch (see col. 7, lines 31-40).

Gallagher does not teach the descriptive information describing a signal between at least two of the a) wireless controller, b) the one or more wireless transmitters, and c) the plurality of mobile terminals. Heinonen teaches the descriptive information describing a signal (see col. 17, lines 44-52) between at least two of the a) wireless controller, b) the one or more wireless transmitters, and c) the plurality of mobile terminals (see fig. 5 where the originating and target devices are both wireless devices). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Heinonen to said device of Gallagher in order to better avoid repeated communication inquiries.

Referring to Claim 8, Gallagher also teaches the controller adapted to provide the descriptive information with the data to the port interface (see col. 7, lines 31-40).

Referring to Claim 9, Gallagher also teaches the controller adapted to provide

at least a portion of the data and the associated descriptive information to the port interface for substantial real-time monitoring using the remote device (see col. 7, lines 31-40).

Referring to Claim 10, Gallagher also teaches the controller further adapted to receive a request from a remote unit through the port interface and wherein the controller is adapted to cause the wireless switch to perform at least one task responsive to the received request (see col. 12, lines 18-25).

Referring to Claim 11, Gallagher also teaches the controller responsive to commands received from a remote device (see col. 12, lines 18-25).

Referring to Claim 12, Gallagher also teaches providing the data and the associated descriptive information to the port interface for at least one of storage in a remote device and further processing (see col. 5, lines 53-57).

Referring to Claim 13, Gallagher also teaches receiving the descriptive information encapsulated with the data in a packet, wherein the descriptive information comprises at least one high resolution timestamp associated with the data and channel information associated with the transmission of the data, wherein the channel information includes at least one of signal quality and relative signal strength index (see col. 5, lines 61-66).

Referring to Claim 14, Gallagher teaches a system, comprising:

A plurality of mobile terminals 102 (fig. 2);

A wireless switch 132 (fig. 2) adapted to:

Receive data transmitted from a plurality of access ports 128 (fig. 2), wherein

the data has associated descriptive information (see col. 19, lines 9-16); and

Provide at least a portion of the receive data and the associated descriptive information to a port interface associated with the wireless switch (see col. 7, lines 31-40).

Gallagher does not teach the descriptive information describing a signal between at least two of the a) wireless controller, b) the one or more wireless transmitters, and c) the plurality of mobile terminals. Heinonen teaches the descriptive information describing a signal (see col. 17, lines 44-52) between at least two of the a) wireless controller, b) the one or more wireless transmitters, and c) the plurality of mobile terminals (see fig. 5 where the originating and target devices are both wireless devices). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Heinonen to said device of Gallagher in order to better avoid repeated communication inquiries.

Referring to Claim 15, Gallagher also teaches at least one access port adapted to receive the data from the mobile terminals and further adapted to transmit the data to the wireless switch (see 102 to 128 to 132 in fig. 2).

Referring to Claim 16, Gallagher also teaches the wireless switch adapted to receive the data and the descriptive information associated with the data (see col. 9, lines 9-16).

Referring to Claim 17, Gallagher also teaches the wireless switch providing an encapsulated packet including the data and the associated descriptive information (see col. 7, lines 43-47).

Referring to Claim 18, Gallagher also teaches the wireless switch adapted to receive commands from a remote device and perform at least one task responsive to the received commands (see col. 12, lines 19-22).

Referring to Claim 19, Gallagher also teaches the descriptive information comprises at least one high resolution timestamp associated with the data and channel information associated with the transmission of the data, wherein the channel information includes at least one of signal quality and relative signal strength index (see col. 5, lines 61-66).

Referring to Claim 20, Gallagher also teaches a remote device that is adapted to communicate with the wireless switch via the port interface, wherein the remote device is at least one of a wireless sniffer, performance monitor, and wireless intrusion detection server (see col. 14, lines 60-63).

Referring to Claim 21, Gallagher teaches an apparatus comprising:

Means for receiving, using a wireless controller 132 (fig. 2), data transmitted from a plurality of access ports 128 (fig. 2), wherein the data has associated descriptive information (see col. 19, lines 9-16); and

Means for providing at least a portion of the received data and the associated descriptive information to a port interface associated with the wireless controller (see col. 7, lines 31-40).

Gallagher does not teach the descriptive information describing a signal between at least two of the a) wireless controller, b) the one or more wireless transmitters, and c) the plurality of mobile terminals. Heinonen teaches the descriptive

information describing a signal (see col. 17, lines 44-52) between at least two of the a) wireless controller, b) the one or more wireless transmitters, and c) the plurality of mobile terminals (see fig. 5 where the originating and target devices are both wireless devices). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Heinonen to said device of Gallagher in order to better avoid repeated communication inquiries.

Response to Arguments

3. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUGENE YUN whose telephone number is (571)272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571)272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eugene Yun
Primary Examiner
Art Unit 2618

/Eugene Yun/
Primary Examiner, Art Unit 2618
/E. Y./

Primary Examiner, Art Unit 2618